

Remarks

Applicants have carefully reviewed the Final Office Action mailed June 29, 2005 and the Advisory Action mailed October 18, 2005. Claims 27 and 41 have been amended with this response. Claims 27-46 are pending and claims 30-34 and 40 remain withdrawn.

Support for the amendments can be found in the specification, claims, and drawings as originally filed. No new matter has been added. Amended claims 27 and 41 recite a monolithic hub. Support for such claim language can be found, for example, in the description of a method of producing hubs. For example, a description of a molding process begins at page 10, line 25. The fact that the hub can be formed in one step and from one polymer in this process shows that the hubs of this invention can be monolithic.

Rejection under 35 U.S.C. § 112, first paragraph

Claims 27-29, 35-39, and 41-46 are rejected as failing to comply with the written description requirement. Although Applicants do not agree with this rejection, independent claim 27 has been amended in order to describe a lumen that is substantially constant in diameter through the strain relief and through at least a portion of the proximal portion. Amended claim 41 recites similar language. Applicants respectfully submit that this subject matter has support in the specification. For example, Figure 2 shows a lumen that appears as a constant diameter lumen through the strain relief portion, and continues at a constant diameter for a distance proximal of the strain relief. With respect to FIG. 3, the specification states that "[o]ther than the strain relief 106, hub assembly 100 can in all respects be similar to hub assembly 10," which is shown in FIG. 2. Thus, the lumen through hub assembly 100 in FIG. 3 can be similar to that shown in FIG. 2. Applicants submit that the instant specification and drawings do provide a description of the features of independent claims 27 and 41, as amended. Withdrawal of this rejection is respectfully requested.

Drawing Objection

The drawings are objected to for not showing every feature of the invention specified in the claims. Applicants submit that the drawings as filed show every feature

of the invention recited in the amended claims for at least the reasons set forth above in the §112 discussion. In particular, the combination of FIGS. 2 and 3 provide an illustration of the features recited in the claims. Withdrawal of the drawing objection is respectfully requested.

Rejection under 35 U.S.C. § 103 (a)

Claims 27-29, 35-39, and 41-46 are rejected as being unpatentable over Wijkamp et al., U.S. 5,167,647 (hereinafter "Wijkamp") in view of Long et al., U.S. 4,632,488 (hereinafter "Long"). Applicants respectfully traverse the rejection. In order for a combination of references to render a claim obvious, each and every element of that claim must be present in the cited prior art and a motivation or suggestion to combine the references must be present in the prior art. See M.P.E.P. §2143.01 and §2143.03.

Amended claim 27 now recites a monolithic hub structure which comprises a strain relief and a proximal region with a connector element. Similarly, claim 41 recites a monolithic hub structure. The hub structure of claim 41 has a strain relief and a connector element. Neither Wijkamp nor Long discloses such a monolithic hub structure.

Wijkamp apparently describes a hub-type structure that is secured in an aperture of a coupling element. See column 2, lines 47-51 and Figure 1. Thus, the hub assembly of Wijkamp appears to consist of two pieces, and is not therefore monolithic. In addition, the hub assembly of Long appears to consist of a housing and a strain relief element. For example, see Figure 5 of Long. Thus, like Wijkamp, the hub assembly of Long seems to comprise two pieces, and is not therefore monolithic. Because a monolithic hub assembly as recited in claims 27 and 41 is not described in Wijkamp or Long, the cited references do not contain each and every element of these claims.

Because each and every element of claims 27 and 41 are not present in the prior art, Applicants submit that even if one were to combine the teachings of Wijkamp and Long, one would not arrive at the claimed invention. At best, a combination would appear to result in the device of Wijkamp with the strain relief and clamping member of Long substituted for the tubular strain relief 5 of Wijkamp. Such a combination would appear to comprise multiple elements, i.e. the tubular body 2 and coupling element 6 of Wijkamp and the cord clamping component/bushing component/strain relief of Long.

The resulting structure would not be monolithic. Thus, the combination does not teach or suggest each and every element of claim 27, as amended.

Further, one of ordinary skill in the art would not be motivated to combine the cited references. Applicants submit that there is no motivation for one of ordinary skill in the art to combine the teachings of Wijkamp and Long. The Examiner asserts that one would have been motivated to make the combination to provide a resilient snug fit having greater resistance to the catheter bending sharply adjacent to the hub. However, the Examiner has provided no reasoning or teaching to support the assertion. There is no indication in Wijkamp that the tubular strain relief 5 does not provide a resilient snug fit or resistance to the catheter bending sharply adjacent to the hub. Additionally, Long teaches a strain relief, but does not provide any indication that it achieves a greater resistance to the catheter bending sharply adjacent to a hub.

To the contrary, Applicants submit that one of ordinary skill in the art would believe the strain relief of Long to have less resistance to a catheter bending sharply adjacent to the hub because of the spaces between the turns. One would expect such a structure to bend easier than the solid tubular strain relief specifically taught by Wijkamp. It appears the motivation for combining Wijkamp and Long actually comes from either Applicants' own specification, which is improper, or the level of skill in the art, which is also improper. M.P.E.P. 2143.01 states "[t]he level of skill in the art cannot be relied upon to provide the suggestion to combine references. *Al-Site Corp. v. VSI Int'l Inc.*, 174 F.3d 1308, 50 USPQ2d 1161 (Fed. Cir. 1999)."

Because each and every element is not disclosed and because no motivation to combine the references has been provided, this combination of references cannot render claims 27 and 41 obvious. Applicants thus respectfully assert that these claims are allowable. Further, because they are dependent on claims 27 and 41 and because they contain additional patentably distinct elements, Applicants assert that claims 28-29, 35-39 and 42-46 are also allowable.

Claims 29, 35, 44, and 45 appear to be rejected as being unpatentable over Davila (US 5,466,230) in combination with Klump, Jr. (US 2,724,736) and Lalikos. The rejection is incomplete and does not include the primary references used to reject the independent claims. Applicants respectfully request clarification of any further rejections

of these claims. Applicants note, however, that none of these references disclose a monolithic hub assembly as recited in either claim 27 or 41. Withdrawal of this rejection is respectfully requested.

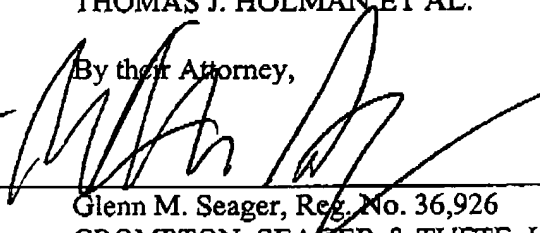
Reexamination and reconsideration are respectfully requested. It is submitted that all pending claims are currently in condition for allowance. Issuance of a Notice of Allowance in due course is anticipated. If a telephone conference might be of assistance, please contact the undersigned attorney at 612-677-9050.

Respectfully submitted,

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By their Attorney,

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